BOOK 522 PAGE 245

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CERTIFICATE OF TRANSFER OF LAND

RHODE ISLAND DEPARTMENT OF TRANSPORTATION
to
RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

for

Burdickville Road and Pawcatuck River Area
Hopkinton, Rhode Island

By virtue of authority vested in me by the provisions of Title 37, Chapter 7, Section 6 of the General Laws of Rhode Island, 1956, having heretofore been requested in writing by Michael P. Lewis, in his capacity as Director of Transportation, and Janet Coit, in her capacity as Director of Environmental Management, so to do, I, Lincoln D. Chafee, Governor of the State of Rhode Island and Providence Plantations, hereby certify that the custody, control and supervision over the land and easements herein described is transferred from the Department of Transportation to the Department of Environmental Management subject to the covenants and restrictions herein and in Exhibit A attached hereto.

That certain land situated on Burdickville Road in Hopkinton, County of Washington, State of Rhode Island and Providence Plantations, and delineated on Plat No. 2006 by the Department of Transportation, Division of Public Works, said land being further described as follows: *approximately 4,500 (Four Thousand, Five Hundred) Square Feet, comprising the roughly triangular-shaped parcel formed north of the easterly side of Burdickville Road meeting the westerly bank of the Pawcatuck River in Hopkinton, and depicted as the yellow–shaded area in Exhibit B attached hereto and incorporated herein.*

The use of said land by the Department of Environmental Management, its agents, contractees and assigns shall be as a boat-launching area and for public recreation. If used by the Department of Environmental Management for a purpose other than the above activities, custody of said land will revert to the Department of Transportation. In addition, if the Rhode Island Department of Environmental Management receives any revenue from use of said land for any reason, compensation received shall revert to the Department of Transportation.

IN WITNESS WHEREOF, I, Lincoln D. Chafee, the Governor of the State of Rhode Island and Providence Plantations, have set my hand and seal this 12th day of December, 2012.

WITNESS:

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS

C. D. Chafee

Lincoln D. Chafee
Governor

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In Providence, in said County and State, on the 12th day of December, 2012, before me personally appeared Lincoln D. Chafee, the Governor of the State of Rhode Island and Providence Plantations, and he acknowledged said instrument by him executed to be his free act and deed, his free act and deed in his capacity as aforesaid, and the free act and deed of the State of Rhode Island and Providence Plantations.

Claire Richards

Notary Public

My Commission expires: 11/14/13

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B

APPROVED this 7th, day of November, 2012, by the **State Properties Committee.**

APPROVED:

Chairman, State Properties Committee
RONALD N. RENAUD

APPROVED AS TO FORM:

Richard B. Woolley Asst. AG.
Designee for the Department of Attorney General, RICHARD WOOLLEY

APPROVED AS TO SUBSTANCE:

Designee of the Director, Department of Administration, ROBERT K. GRIFFITH

APPROVED:

Public Member, LAWRENCE S. EICHLER

APPROVED:

~~Public~~ Member

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EXHIBIT A

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Attached hereto and made a part hereof:

The Department of Environmental Management, for themselves, their successors and assigns, as part of the consideration hereof, does hereby covenant and agree as a covenant running with the parcel of land described on Exhibit "A," that:

1. Any use of said parcel of land will be in compliance with Title VI of the Federal Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-2000d-4, i.e., without discrimination as to race, color, sex, national origin, age, or disability. Moreover, the Department of Environmental Management covenants and agrees, as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on said parcel of land described in this deed, for a purpose for which a U.S. Department of Transportation program or activity is extended, or for another purpose involving the provision of similar services or benefits, the Department of Environmental Management shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 C.F.R. Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (the Regulations), and as the Regulations may be amended.

   In the event of breach of any of the above nondiscrimination covenants, the Department of Transportation shall have the right to re-enter said parcel of land and the facilities thereon, and the custody and control of the above-described lands and facilities shall thereupon revert to and vest in and become absolute to the Department of Transportation and its assigns.

2. No billboard, sign or other outdoor advertising devices shall be erected upon said parcel of land other than those indicating ownership and type of activity being conducted on the premises and shall be subject to reasonable restrictions with respect to number, size, location and design by regulation of the Department of Transportation and/or the Federal Highway Administration and subject to local zoning ordinances.

3. Any public utilities or municipalities having facilities under, over or through the parcel of land herein conveyed as of the date of these presents shall have the right and easement to continue to maintain, operate and renew their facilities within the premises herein described.

4. The Department of Environmental Management will indemnify, save harmless and defend the the Department of Transportation from any claim or claims arising from the discovery, uncovering, finding, transportation, storage and disposal of any oil, hazardous material, hazardous waste or hazardous substance, as those terms are defined by any applicable law, rule or regulation, including, without limitation, the Rhode Island Hazardous Waste Management Corporation Act, R.I.G.L. 23-19-1 et seq.; the Rhode Island Hazardous Substance Act, R.I.G.L. 23-24-1 et seq.; the Rhode Island Rules and Regulations for Hazardous Waste Generation, Transportation, Treatment, Storage and Disposal, the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. 9601 et seq.; and the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., on, beneath, above or under the parcel herein conveyed attributable to the Department of Environmental Management subsequent to the date of this conveyance arising under Rhode Island General Laws, Sections 23-19-1 through 23-19-27, inclusive, as amended or otherwise.

5. The Department of Transportation retains the right to pass and repass, access and egress, said parcel of land by vehicle and on foot.

EXHIBIT B

N

PAWCATUCK RIVER

NOTE : S.H.L. PLAT NO. 2
IS COINCIDENTAL
WITH THE WATE
EDGE.

STA. 5+01
LT. 73.5±

℄ CURVE DATA
R = 533.5
T = 25.78
Δ = 05°-31'-55"
L = 51.51'

PC STA. 6+61.40

STA. 6+69.24
LT. 13.58'

STATE HIGHWAY LINE PLAT NO. 2006

STATE HIGHWAY LINE PLAT

ROAD

2

WHITMAN, RICHARD A. & GERMAINE
AP 3 LOT 43

2A AREA TAKEN 7,000± SF
AREA REMAINING 15,000± SF

2A

STA. 5+66.51
LT. 13.50'

R.H.B. FLUSH (GRASS AREA)

BURDICKVILLE

+86.08
7+00

+69.24
12.76'

STA. 7+11.80
RT. 14.73'

4+50
5+00
13.5'
5+01
+27.49
13.50'
+66.51
6+00
16.5'
13.5'

FLUSH 1B FLUSH STATE HIGHWAY LINE

TEMPORARY EASEMENT BOUNDARY

STA. 6+91.29
RT. 18.33'

FLUSH CONC. & GRASS (IN LEDGE)

PT STA. 5+66.51

℄ CURVE DAT
R = 400.00'
T = 59.11
Δ = 16°-48'-4
L = 117.37'

1

WHITMAN, RICHARD A. & GERMAINE
AP 3 LOT 45

1A AREA TAKEN 601 SF
1B AREA TEMP. EASEMENT 1,597 SF
AREA REMAINING 793,000± SF

PURPOSE	PERMANENT UTILITY EASEMENT		PURPOSE
	PARCEL NO.	AREA	
SL	—	—	—
—	—	—	—
SL	—	—	—
SL-DW	4P	218 SF	MAINTAIN SLOPE

Received for Record, Hopkinton, RI 2-20-2014
at 2:20 o'clock p m. Recorded in Book 522 page 245
of the Land Evidence Records
Elizabeth J. Cook-Martin - Witness Town Clerk

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